

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )     CASE NO. 04-12587-JLT  
                                  )  
vs.                            )     TRACT NO. A-189-E  
16.086 ACRES OF LAND, MORE OR )  
LESS, SITUATED IN BARNSTABLE )  
COUNTY, COMMONWEALTH OF )  
MASSACHUSETTS, AND EDWIN )  
ALFRED THOMPSON, MIGNON F. )  
THOMPSON, AND TONII C.T. DEAN, )  
                                  )  
                                  Defendants. )  
                                  )  
\_\_\_\_\_

**CERTIFICATION OF PUBLICATION**

I, Anita Johnson, hereby certify that a Notice of Condemnation in this action was served by publication pursuant to Rule 71A(d)(3)(ii) of the Federal Rules of Civil Procedure. Notice of Condemnation was published in the Cape Cod Times on September 30, 2005, October 7, 2005, and October 14, 2005. Attached hereto is a printed copy of the notice with the name and dates of the newspaper marked thereon.

I swear under the pains and penalties of perjury that the foregoing statements are true and correct to the best of my knowledge.

Respectfully submitted,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By: /s/Anita Johnson  
Anita Johnson  
Assistant U.S. Attorney  
U.S. Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
Tel. No. (617) 748-3266  
Fax No. (617) 748-3971

Of Counsel:

Julie A. D'Esposito  
Assistant District Counsel  
U.S. Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742

Dated: April 26, 2006

Certificate of Service

I hereby certify that this documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be mailed first class mail to the non-registered participants:  
Defendants Edwin Alfred Thompson, 154 Tonawanda Drive, S.E., Atlanta, Georgia 30315; Mignon F. Thompson, 7115 Bigwoods Drive at Huntgate Road, Woodstock GA 30188; and Tonii C.T. Dean, 5967 Forest Isle Drive, Apt. 361, New Orleans, LA 70125; and upon counsel for Barnstable County, Robert S. Troy, 90 Route 6A, Sandwich, MA 02563, and counsel for the Town of Mashpee, Patrick J. Costello, 67 Battery March Street, Boston, MA 02110, on this 26th day of April, 2006.

/s/Anita Johnson

  
**CAPE COD TIMES**  
**PROOF OF PUBLICATION**

Date: 9/30/05

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
16.086 ACRES OF LAND, MORE OR  
LESS, SITUATE IN BARNSTABLE  
COUNTY, COMMONWEALTH OF  
MASSACHUSETTS, AND EDWIN  
ALFRED THOMPSON, ET AL.

CASE NO. 04-12587-JLT

TRACT NO. A-189-E

Defendants.

**NOTICE OF CONDEMNATION**

TO ALL DEFENDANT LANDOWNERS listed in Schedule "B" attached  
and made a part hereof, and all others whom it may concern:

The authority for the taking of the land is in accordance with the  
Act of Congress approved February 26, 1831 (46 Stat. 1421, 40  
U.S.C. § 3114), acts supplementary thereto and amendatory thereof;  
and under the further authority of the Act of Congress approved Au-  
gust 1, 1888 (25 Stat. 357, 40 U.S.C. 257); and the Act of Congress  
dated August 20, 1958 (72 Stat. 772, 10 U.S.C. 2672), as amended,  
which act authorizes the acquisition of land in the interest of national  
defense, and the Act of Congress Approved September 20, 2003  
(Public Law 108-87), which act appropriated funds for such purpos-  
es has been filed in the above-captioned case, in the above-named  
Court, to condemn and to take for simple title in the property de-  
scribed in attached Schedule "B", for the uses described therein. A  
plot depicting the property which is the subject of this proposed tak-  
ing is attached as Schedule "B". The statement of estimated joint  
compensation for said property is attached as Schedule "A".

A defendant may serve an answer upon the undersigned plaintiff's  
attorney, Anita Johnson, Assistant U.S. Attorney, U.S. Attorney's Of-  
fice, 1 Courthouse Way, Suite 9200, Boston, MA 02110, within 20  
days after service of this notice (or within the time prescribed by the  
Waiver of Service of Summons or summons, if applicable). Your an-  
swer should identify the property in which you claim to have an inter-  
est, state the nature and extent of the interest claimed, and state all  
your objections and defenses to the taking of the property. Failure to  
serve an answer within this time shall constitute a consent to the tak-  
ing and to the authority of the court to proceed to hear the action  
and to fix the compensation, and shall constitute a waiver of all de-  
fenses and objections not so presented.

If you have no objection or defense to the taking, you may serve  
on the plaintiff's attorney a Notice of Appearance designating the  
property in which you claim an interest. You shall, thereafter, be fur-  
nished notice of all proceedings affecting said property.

At the trial of the issue of just compensation, whether or not you  
have answered or served a notice of appearance, you may present  
evidence as to the amount of the compensation to be paid for the  
property in which you have an interest, and you may share in the dis-  
tribution of the award of compensation according to the interest in  
the property which you possess.

Respectfully submitted,  
MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By: Anita Johnson  
Assistant U.S. Attorney  
U.S. Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
Tel. 617-748-3266  
Fax. 617-748-3971

**SCHEDULE "B"**

**NAMES AND ADDRESSES OF PURPORTED OWNERS:**  
TRACT NO. A-189E

Edwin Alfred Thompson  
154 Tonawanda Drive, S.E.  
Atlanta, GA 30315-8430

Heirs of Nedric Stanley Thompson, Jr.

Addresses Unknown

Heirs of Venice T. Spragos

Addresses Unknown

Commonwealth of Massachusetts

Office of the Secretary of the Commonwealth

State House, Room 337

Boston, MA 02133

County of Barnstable

Barnstable County Clerk

Superior Court House

Barnstable, MA 02630

Town of Mashpee

16 Great Neck Road North

Mashpee, MA 02649

Owners Unknown

Addresses Unknown

9/30/05, 10/14/05

  
**CAPE COD TIMES**  
**PROOF OF PUBLICATION**

Date: 10/7/05

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
UNITED STATES OF AMERICA, Plaintiff, CASE NO. 04-12587-JLT  
vs. TRACT NO. A-189-E

16.086 ACRES OF LAND, MORE OR  
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Defendants.

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Court, to condemn and to take fee simple title in the property de-  
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plot depicting the property which is the subject of this proposed tak-  
ing is attached as Schedule "B". The statement of estimated joint  
compensation for said property is attached as Schedule "A".

A defendant may serve an answer upon the undersigned plaintiff's  
attorney, Anita Johnson, Assistant U.S. Attorney, U.S. Attorney's Office,  
1 Courthouse Way, Suite 9200, Boston, MA 02110, within 20  
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and to fix the compensation, and shall constitute a waiver of all de-  
fenses and objections not so presented.

If you have no objection or defense to the taking, you may serve  
on the plaintiff's attorney, a Notice of Appearance designating the  
property in which you claim an interest. You shall, thereafter, be fur-  
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At the trial of the issue of just compensation, whether or not you  
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property in which you have an interest, and you may share in the dis-  
tribution of the award of compensation according to the interest in  
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Heirs of Nedric Stanley Thompson, Jr.  
Addresses Unknown  
Heirs of Venice T. Spraggs  
Addresses Unknown  
Commonwealth of Massachusetts  
Office of the Secretary of the Commonwealth  
State House, Room 337  
Boston, MA 02133  
County of Barnstable  
Barnstable County Clerk  
Superior Court House  
Barnstable, MA 02630  
Town of Mashpee  
16 Great Neck Road North  
Mashpee, MA 02649  
Owners Unknown  
Addresses Unknown  
30.10/7, 10/14/05



# CAPE COD TIMES

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Date: 10/14/05

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FOR THE DISTRICT OF MASSACHUSETTS  
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9/30, 10/7, 10/14/05